

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ELLA W. HORN,

Plaintiff,

v.

EXPERIS US, INC., A MANPOWER
BRAND COMPANY,

Defendant.

No. 2:20-cv-00212-JAM-CKD (PS)

ORDER

Before the court is plaintiff's motion to waive the cost of court transcripts related to her pending appeal. (ECF No. 34.) "Production of the transcript at government expense for an appellant in forma pauperis in a civil case is proper under 28 U.S.C. § 753 if a trial judge certifies that the appeal is not frivolous and presents a substantial question." McKinney v. Anderson, 924 F.2d 1500, 1511 (9th Cir.), overruled on other grounds by Helling v. McKinney, 502 U.S. 903 (1991). The relief under section 753 is permissive. Id. Here, this court never granted plaintiff in forma pauperis status because plaintiff never submitted a proper application. In addition, this

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1 court is unable to certify that plaintiff's pending appeal is not frivolous and presents a substantial
2 question. Accordingly, plaintiff's request for court transcripts at the government's expense is
3 DENIED.

4 Dated: November 17, 2020


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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